



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
NYE COUNTY BOARD OF HEALTH**

**AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY GABBS MANHATTAN
AND AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

2100 E. Walt Williams Drive, Pahrump, NV 89048

July 18, 2023

10:00 a.m.

Subject to technical difficulties, people may participate by calling 1-888-585-9008 and entering conference room number 255-432-824. Technical difficulties may occur before or during the meeting preventing your ability to call in.

The Chair of the Board of County Commissioners will open public comment periods by announcement. Commenters must press *9 on their telephone keypads to notify Administration they wish to speak.

The meeting is also viewable at www.nyecountynv.gov. There is a 30 to 40 second delay between the in-person meeting and the meeting video.

NOTE: All items are approximate except for bid openings, public hearings, and any other items agendaized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on July 18, 2023 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.**

Public Comment during the Commission Meeting on July 18, 2023 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person may be heard during individual action items. The Commission reserves the right to reduce the time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting. **Decorum** during the meeting must be upheld pursuant to the BOCC Rules of Procedure sections 7.5.3 and 7.5.4 whereby no person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting. Any person who becomes disruptive or interferes with the orderly business of the Board may be removed from the Board Chambers or other meeting room for the remainder of the meeting.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougher Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM # SUBJECT

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Additional Posting Locations: Amargosa Valley Community Center, 821 E. Amargosa Farm Rd., Amargosa Valley, NV; Beatty Community Center, 100 South A Ave., Beatty, NV; Gabbs Town Hall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, NV

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website, or by calling Administration at (775) 482-8192

WEBSITE: www.nyecountynv.gov

Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8192 prior to the meeting.

- 1. Pledge of Allegiance**
- 2. GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (FIRST).**
- 3. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 4. Approval of the Agenda for July 18, 2023 (Non-action item)**
- 5. For Possible Action – Emergency Items**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

- 6. 10:00 a.m. – [Presentation](#) of certificates and/or plaques to nine employees honored for their years of service. (10-minute time limit)**
- 7. 10:00 a.m. – [Presentation](#) of a certificate of recognition to Michael Keyes for his appointment by Gov. Joe Lombardo to serve as a student member on the Nevada State Board of Education. (10-minute time limit)**
- 8. 10:00 a.m. – [For Possible Action](#) – Discussion and deliberation regarding the monthly statement of county treasurer pursuant to NRS 354.280 including receipts, balances in funds, money on deposit, outstanding checks, and cash on hand.**
- 9. 10:00 a.m. – [Presentation](#) by Kathie McKenna with Nevada Outreach Training Organization regarding program status, outcome results, a budget status report and future goals pursuant to the Nye County ARPA Recovery Plan and Policy: Public Health Assistance Grant. (10-minute time limit)**
- 10. 10:00 a.m. – [For Possible Action](#) – Fiscal Year (FY) 2024 Community Development Block Grant (CDBG) Public Meeting: 1) Overview of the FY24 CDBG program; 2) Summary of Past Performance by Nye County with CDBG funding since 1982; and 3) Invite the public to provide project ideas and input on past or potential projects.**
- 11. 10:00 a.m. – [For Possible Action](#) – Public Hearing – Discussion and deliberation to adopt, amend and adopt or reject Nye County Resolution No. 2023-17: A Resolution proposing to adopt the 2023 Pahrump Regional Planning District Master Plan Update.**

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SITTING AS THE NYE COUNTY LICENSING AND LIQUOR BOARD

GAMING

12. [For Possible Action](#) – Discussion and deliberation to approve a Gaming License for Jett Gaming, LLC., dba Terrible’s Gaming to operate a Slot Route at Albertsons #341, located at 200 S. Highway 160, Pahrump, NV. Timothy Herbst, Applicant.
13. [For Possible Action](#) – Discussion and deliberation to approve a Gaming License for United Coin Machine Co., dba Century Gaming Technologies to operate a Slot Route at Circle K, located at 2980 E. Gamebird Rd., Pahrump, NV. Timothy Cogswell, Applicant.

LIQUOR

14. [For Possible Action](#) – Discussion and deliberation to: 1) Consider renewing The Bounty Hunter Retail Liquor License, license number LQ10-000735 following receipt of payment on July 10, 2023; or 2) Suspend the liquor license and direct staff to set a Hearing to Show Cause to further consider the license.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

CONSENT AGENDA ITEMS – These are items that Staff recommends for approval. The Board reserves the right to move any consent agenda item to the regular segment of the agenda should issues arise that need to be addressed. Discussion of any item from the Consent Agenda Items that needs review before a decision is made.

15. [For Possible Action](#) – Approval of the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
16. [For Possible Action](#) – Approval of meeting minutes from the joint meeting on May 8, 2023.
17. [For Possible Action](#) – Approval to: 1) Accept the no-cost Grant Amendment No. 4 for grant award 20/PF/14 through the State of Nevada, Community Development Block Grant (CDBG) program to provide 6 months additional time for the construction and completion of the Pahrump Fairgrounds Water & Well System Project by December 31, 2023; and 2) Execute Grant Amendment No. 4.
18. [For Possible Action](#) – Approval to renew cannabis licenses for Fiscal Year 2024 pursuant to Nye County Code 5.32.080(A).

BOARD OF COMMISSIONERS

19. [For Possible Action](#) – Discussion and deliberation to set a date, time and location for a Public Hearing on Nye County Bill No. 2023-11: A Bill to Ban Helicopter, Motorized Vehicles or Drone Roundups of Wild Horses and Burros Within the Boundaries of Nye County; Providing for the Severability, Constitutionality and Effective Date Thereof; and Other Matters Properly Related Thereto.

DISTRICT ATTORNEY

20. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject a customer rate increase in the amount of 6.4% pursuant to Article 8 of the Second Amendment to the Amended and Restated Solid Waste Franchise Agreement for Beatty.

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PUBLIC ADMINISTRATOR

21. [Presentation](#) regarding the quarterly report from the Public Administrator on deceased person cases that are open, closed, pending, NCPA Creditor Claims, non-cases or cases that have been turned over to family.

COUNTY MANAGER

22. [For Possible Action](#) – Discussion and deliberation to: 1) Appoint one member to the Nevada Local Justice Reinvestment Coordinating Council due to expiring terms from the following list of applicants: Samuel L. Jones, Kimberly A Wanker, and Clinton Zens.

FACILITIES

23. [For Possible Action](#) – Discussion and deliberation to: 1) Discuss the bid proposals received for Bid No. 2023-03 250 N. Highway 160 Building Remodel; 2) Award Bid 2023-03 250 N. Highway 160 Building Remodel to Double M. Construction in the amount of \$2,341,000.00 that excludes installation of a fire sprinkler system, or in the amount of \$2,500,000.00 that includes the installation of a fire sprinkler system; 3) Approve, amend and approve or reject the contract with selected bidder; 4) Fund the contract at the determination of the Comptroller; or 5) Reject bids and provide direction to staff on how to proceed with the project.

FINANCE

24. [For Possible Action](#) – Presentation, discussion and deliberation to approve, amend and approve, or reject the program budget adjustment request from Nancy Guin with Tails of Nye County under the Nye County ARPA Recovery Plan and Policy: Public Health Assistance- Mental Health Grant to move \$20,000.00 from Trap, Neuter and Release (TNR) and add to Spay and Neuter, decreasing TNR to \$22,000.00, and increase the Spay and Neuter program to \$40,000.00.

NATURAL RESOURCES

25. [For Possible Action](#) – Discussion and deliberation to: 1) Approve the sale of the following patented mine or mining claims located approximately 30 miles north of Round Mountain, NV, pursuant to NRS 517.460: Murphy Lode, Patent #94, Mining Survey #38, Assessor's Parcel Number (APN) 000-12-66, Twin River Mining District, Ophir Canyon; Adirondack Lode, Patent #781, Mining Survey #39, APN 000-12-66, Twin River Mining District, Ophir Canyon; Forlorn Lode, Patent #4729, Mining Survey #40, APN 000-12-66, Twin River Mining District, Ophir Canyon; and Grizzly Lode, Patent #28531, Mining Survey #1734, APN 000-156-84, Twin River Mining District, Ophir Canyon; and 2) Give direction to staff to sell the patented mine(s) or mining claim(s) described in each Affidavit and Petition for Sale for a total amount not less than as stated in paragraph 4 of each Affidavit and Petition for Sale.
26. [For Possible Action](#) – Discussion and deliberation to approve entering into a Memorandum of Understanding (MOU) with the Bureau of Land Management (BLM) to participate as a Cooperating Agency in the National Environmental Policy Act (NEPA) for the Bonanza Solar Project Environmental Impact Statement.
27. [For Possible Action](#) – Discussion and deliberation to approve, amend and approve, or reject a letter to the Bureau of Land Management (BLM) requesting an amendment to the Greater Sage-Grouse Memorandum of Understanding to list the Nevada Association of Counties (NACO) as a County representative in the Land Use Plan (LUP) Resource Management Plan Amendment.

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PLANNING/BUILDING/CODE COMPLIANCE

28. [For Possible Action](#) – Discussion and deliberation to approve LD-22-20, a Tentative Residential Subdivision, for Mountain Falls, Planning Area 8A, creating one hundred and thirty-two (132) residential lots on property zoned Specific Plan (SP), each residential lot containing an average of 6,212 square feet. Minimum lot size is 4,275 square feet and Maximum lot size is 11,210 square feet, Assessor's Parcel Number 045-021-73. Taylor Morrison - Owner. Taney Engineering Corp. - Agent/Applicant.

PUBLIC WORKS

29. [For Possible Action](#) – Discussion and deliberation to: 1) Approve, amend and approve, or reject the State of Nevada Clean Water State Revolving Loan Fund Contract #CW2305 with the Nevada Division of Environmental Protection (NDEP) in the amount of \$1,260,628.00 for the purpose of improving the Gabbs wastewater collection system; 2) Execute the agreement; and 3) Fund to 10340 Grants.

PUBLIC PETITIONER

30. [Presentation](#) by C.J. Zens, Nye County’s appointment representative to the Nevada Local Justice Reinvestment Coordinating Council, regarding recent successes in the council’s efforts to help justice programs in Nevada. (10-minute time limit)

31. [Presentation](#) by Kay A. LaPointe regarding the need for a Charter School in the Town of Pahrump and its benefits to Nye County. (10-minute time limit)

32. [For Possible Action](#) – Discussion and deliberation to adopt Nye County Proclamation P2023-05: A Proclamation Recognizing August 7, 2023 as Purple Heart Day in Nye County.

33. [For Possible Action](#) – Discussion and deliberation to approve an application for a road right-of-way (ROW) from the Bureau of Land Management (BLM) to acquire 5.2-miles of existing Off-Highway Vehicle (OHV) trails on BLM managed land in Nye County to be used as an unmaintained County ROW for the designated Pahrump-Beatty Offroad Adventure Trail route.

34. [For Possible Action](#) – Discussion and deliberation to approve drafting a letter of support for the Nye County Water District Governing Board's request that the Office of the Nevada State Engineer and the Division of Water Resources issue an Order restricting withdrawals of water from Nevada Hydrographic Basin #162 for the purposes of Solar and Renewable Energy Projects.

35. **GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (SECOND).**

36. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**

37. ADJOURN

Nye County Board of County Commissioners Meeting Participation Information:

- Call 1-888-585-9008 and enter conference room code 255-432-824.
- Public comment periods will be opened by announcement.
- Commenters must press *9 if they wish to speak. You will hear “the organizer sees your raised hand” when the control has been properly engaged.

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- When it is your turn to give comment, you will hear “you may now speak” and must identify yourself by saying and spelling your first and last name.

Notes:

- The meeting is viewable at http://nyecounty.granicus.com/ViewPublisher.php?view_id=4 there will be a 40 second delay from the video to the call.
- Report issues to Nye County Admin at nyeadmin@co.nye.nv.us or by calling 775-482-8192